

U.S. Patent Application Serial No. 10/507,066
Reply to Office Action of October 26, 2006

Amendments to the Drawings:

The attached two drawing sheets include changes to Figures 1a, 1b, 1c, and 2. These sheets replace the original drawing sheets which included Figures 1a, 1b, 1c, and 2. The label "PRIOR ART" has been added to Figures 1a, 1b, 1c, and 2.

Attachment: Replacement Sheets
Annotated sheets showing changes

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REMARKS

This Amendment and Response is in reply to the Office Action dated October 26, 2006. A three (3) month extension of time is filed herewith. Therefore, the time period for response extends up to and includes April 26, 2007. Applicant wishes to thank the Examiner for his careful review and consideration of this application.

In the subject Action, claims 1, 2, 6-8, 10, and 11 were rejected on art based rejections; claims 3, 4, and 9 were objected to; and claims 5, 13, 14, and 15 were rejected solely under §112, second paragraph. Claim 12 was allowed. Applicant has amended claims 1, 3-4, 10-11, 13, and 15. New claims 16-20 have been added. No new matter has been entered. Claims 1-20 remain pending in the present application. In light of the foregoing amendments and the following remarks, Applicant respectfully requests withdrawal of the rejections and advancement of this application to allowance.

Specification and Drawings

The specification was objected to because of various informalities. Applicant has made appropriate corrections as the Office Action suggested. One exception is that Applicant has further clarified the confusion of labels 51 and S1 on page 8, line 33.

The drawings were objected to because Figures 1a, 1b, 1c, and 2 need to be labeled as "PRIOR ART". Applicant has labeled "PRIOR ART" in Figures 1a, 1b, 1c, and 2.

The drawings were also objected to in Figures 4 and 5a. In particular, the Office Action suggested that the reference label S2 need to be provided as to be commensurate with the specification description thereof. Applicant has clarified confusion by correcting the relative portion of the specification on page 7, second paragraph, and page 8, line 35. Amendments to Figures 4 and 5a are therefore not needed.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objections.

Claim Objections

Claims 1, 10, and 11 have been found objectionable. Applicant has changed "of the type used" to "for use" in claim 1. Applicant has also changed " Al_2O_3 " to " Al_2O_3 " in claim 10.

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Finally, "at least first and second resonators" have been changed to "at least one first resonator and the second resonator" in claim 11.

In view of the foregoing, withdrawal of the Examiner's objections is requested. It is noted that the amendments discussed in this and the preceding section were not made to overcome an art based rejection and so should not be construed in a limiting manner.

35 U.S.C. § 112 Rejections

Claims 5, 13, 14, and 15 were rejected under § 112, second paragraph, as being indefinite. Applicant respectfully traverses this rejection.

First, Applicant proffers that "the coupling strip which lies adjacent the first resonator" in claim 5 has an antecedent basis since a "coupling strip" has been defined in claim 4 which claim 5 depends from.

Applicant has amended "the primary coupling" and "the desired secondary coupling" to "a primary coupling" and "a desired secondary coupling" in claim 13 at "a" and "b".

Finally, "mean plane" in claim 15 has been amended to "plane" for clarification.

In view of the foregoing, withdrawal of the rejections is respectfully requested. It is noted that the amendments discussed in this section were not made to overcome art based rejections. Accordingly, such amendments should not be construed in a limiting manner.

35 U.S.C. § 102(b) Rejections

Next in the subject Action, claims 1, 6-8 and 11 were rejected under §102(b) as being anticipated by Sagawa et al. Applicant respectfully traverses this rejection.

Claim 1 recites, among other limitations, a resonator apparatus "wherein the first distance and the second distance do not equal one another and the overall distance of the first and second resonators from one another is optimized by independently controlling the primary or secondary coupling." In sharp contrast, Sagawa et al. fails to disclose or suggest distances that do not equal one another and/or "independently controlling the primary or secondary coupling." On page 4 of the Office Action, the Examiner acknowledges that "since the gap (53) [in Sagawa et al.] is constant, the 'first' distance of the 'primary' coupling is the same as the 'second' distance of the 'secondary' coupling." Further, Sagawa et al. does not disclose or teach (either alone or with the

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other references of record) that the distances be optimized by independently controlling the primary or secondary coupling. It is thus submitted, for at least the reasons noted, that claim 1 is patentable.

Claims 6-8 are dependent claims and so are also believed to be allowable over the art of record. Applicant does not otherwise concede the correctness of the Examiner's rejection and reserves the right to make additional arguments as may be necessary.

Claim 11 recites features that are similar or equivalent to those referred to above in regard to claim 1. It is thus submitted, for at least the reasons noted, that claim 11 is also patentable.

Applicant respectfully requests reconsideration and withdrawal of the rejection.

35 U.S.C. § 103(a) Rejections

Claims 2 and 10 were rejected under §103(a) as being obvious over Sagawa et al. in view of the Setsune et al. patent abstract. Applicant respectfully traverses this rejection.

As discussed above, independent claim 1 is patentable over Sagawa et al. Setsune et al. does not remedy the deficiencies of Sagawa et al. Claims 2 and 10 are dependent claims and so are also believed to be allowable over the art of record. Applicant does not otherwise concede the correctness of the Examiner's rejection and reserves the right to make additional arguments as may be necessary. Applicant respectfully requests reconsideration and withdrawal of the pending rejection.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claim 12 is allowed.

Claims 3, 4, and 9 were objected to being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant has rewritten claims 3 and 4 in independent form. Therefore, pending claims 3 and 4 are allowable. Claim 9 depends from independent claim 1 and includes all of the elements of claim 1, which is patentable because of at least the reasons stated above. Therefore, the pending claim 9 is also allowable.

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New Claims

New claims 16-20 have been added.

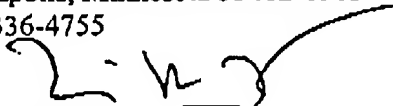
Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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By 
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